

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

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CHARLES ARDINGO,  
  
Plaintiffs,

v.

ROBERT POTTER and UNITED FOOD &  
COMMERCIAL WORKERS, LOCAL 951,

Defendants.

Case No. 1:04-CV-835

Hon. Richard Alan Enslen

**PARTIAL JUDGMENT**

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In accordance with an Opinion entered this date;

**IT IS HEREBY ORDERED** that Defendants Robert Potter and United Food and Commercial Workers, Local 951's Motion for Summary Judgment (Dkt. No. 67) is **GRANTED IN PART** and **DENIED IN PART**. The Motion is **GRANTED** in that it sought Summary Judgment on Counts I, II, & III of Plaintiff Charles Ardingo's Complaint. The Motion is **DENIED** as to Defendants' request for summary judgment on Count IV of Plaintiff's Complaint.

**IT IS FURTHER ORDERED** that Counts I, II, & III of Plaintiff Charles Ardingo's Complaint are **DISMISSED WITH PREJUDICE**.

Dated in Kalamazoo, MI:  
August 8, 2006

/s/Richard Alan Enslen  
Richard Alan Enslen  
Senior United States District Judge